

WASTEWATER PROGRAM

Revision & Update of Chapter 246-272A WAC

July 13, 2005

On-site Sewage Systems

Background and Purpose

The purpose of this presentation is to provide an overview of the supplemental proposal for the on-site sewage system rules, chapter 246-272A WAC. The most recent activities in the rule making process include:

- March 9, 2005 – Public hearing on original proposal
- May 11, 2005 – SBOH continuance of discussion on proposal resulting in direction to DOH to file a supplemental proposal modifying the original proposal
- May 24 – June 22 – Public Comment on supplemental proposal
- July 13, 2005 – Public hearing on supplemental proposal

Differences between original proposal and supplemental proposal – Local Planning

Section 246-272A-0015 – *Local management and regulation*

The section on local planning has been amended to reflect some provisions of proposed legislation (E2SHB 1458), regarding management of onsite sewage systems in marine areas. Although the bill did not pass the legislature, the SBOH is incorporating some of the policies contained in the proposal. The legislature did provide funds in the 05-07 biennial budget for planning activities. Changes include:

- Detailed planning applies only to the 12 Puget Sound counties. Pacific County and Grays Harbor County are removed.
- Deadline for plan completion is set at July 1, 2007.
- Clarification of language to remove duplication.

Drainfield sizes for sandy soils

246-272A-0234(8) – *Design Requirements-Soil Dispersal Components*

For existing, small, undeveloped lots, the local health officer may allow a reduction in drainfield size if a higher level of treatment is used. This change is in response to comments that some existing lots with sandy soils would become unbuildable because drainfields will be getting larger in sandy soils as a result of changes to loading rates.

Transfer of Maintenance Records

246-272A-0270(1)(k) – *Operation and Maintenance- Homeowner Responsibilities*

The supplemental proposal responds to concerns that the original language could delay or prevent home sales if no maintenance records exist. The new language clarifies that the requirement to provide maintenance records applies only if the records are available.

Minimum Land Area/Lot Size

Section 246-272A-0320 – *Developments, Subdivisions, and Minimum land area requirements.*

The original proposal increased the minimum sizes for lots with public water supplies to 0.5 acre. The supplemental proposal returns to the current rule requirements of 12,500sq ft. – 22,000 sq. ft., depending on soil type. The local health officer may require larger lots in areas where the local health officer identifies nitrogen as a contaminant of concern.

Effective dates

- The Department of Health implements the product registration portions of chapter 246-272A WAC; these sections create a framework for moving proprietary products from the *List of Approved Systems and Products* to the new *Registered List*. The Department recommends that language be added to these sections so the product registration process becomes effective September 15, 2005. Manufacturers with products on the existing approved list must register their products by March 15, 2007.
- The local health officers are responsible for issuing permits for on-site sewage systems in their jurisdictions. They use the technical design sections of the chapter as the minimum basis for creating their own local rules. Local health jurisdictions will need time to develop their own rules before the State Board of Health rules go into effect. DOH recommends the technical design sections of the rule become effective September 15, 2006.

Next Steps

- Develop contracts with Puget Sound Counties to do the comprehensive planning and to develop electronic data systems
- Develop a template for the comprehensive planning requirements and assist LHJs in plan development
- Work with LHJs and industry to develop a common inspection form
- Expand and enhance homeowner education
- Identify funding options for homeowners for system repairs

Contact: Maryanne Guichard (360) 236-3391 or email maryanne.guichard@doh.wa.gov